

*2/6/01*

**ORIGINAL**  
IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

*8/15/01  
MA*

MICHAEL A. LEHMAN

Petitioner

v.

ROBERT W. MEYERS, ET AL,

Respondents

CIVIL ACTION NO. 1:CV - 01-1251

(Judge Rambo)

**FILED**  
HARRISBURG, PA

AUG 14 2001

MARY E. D'ANDREA, CLERK  
Per *MD*

**RESPONDENT' REQUEST FOR BRIEF EXTENSION OF TIME TO REPLY TO  
PETITIONER'S PETITION FOR WRIT OF HABEAS CORPUS RELIEF**

H. Stanley Rebert, District Attorney of York County, by Edward A. Paskey, First Deputy District Attorney, on behalf of Respondents, respectfully requests an extension of twenty (20) days to adequately respond to Petitioner's Petition for Writ of Habeas Corpus Relief:

1. Petitioner was convicted of Murder in the First Degree on October 18, 1980 in the Court of Common Pleas of York County, Pennsylvania.
2. Petitioner was sentenced to a life term of incarceration for his crimes.
3. On July 5, 2001, Petitioner filed the instant Petition for Writ of Habeas Corpus Relief.
4. On August 1, 2001, Respondents, the Commonwealth of Pennsylvania, Office of the York County District Attorney, received this Honorable Court's Order, dated July 25, 2001, directing the Respondents to show cause within twenty (20) days of the date of the order why the request

for relief should not be granted. The Respondents believe that its response is due, Tuesday, August 14, 2001.

5. The Respondents respectfully request that it be provided an additional period of twenty (20) days from August 14, 2001 to respond to Petitioner's request for relief.

6. Because of the age of Petitioner's case, twenty one (21) years old, the Commonwealth is having difficulty obtaining the necessary transcript to adequately respond to the petition and to provide to the Court to assist in an informed decision.

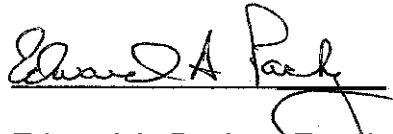
7. Furthermore, the Commonwealth respectfully requests additional time to carefully consider the allegations contained in Petitioner's request for relief as this case involves a Murder in the First Degree conviction. Of additional concern, Petitioner was fourteen (14) years of age at the time of the offense, and sixteen (16) years of age at the time of his conviction.

8. Finally, the Commonwealth respectfully requests additional time to carefully consider the defense of exhaustion of state remedies. In the even the Commonwealth believes the Petitioner has exhausted his state remedies, the Commonwealth does not wish to waste the Court's time by raising the defense, and will respond to the issues on the merits.

WHEREFORE, Respondents respectfully requests that this Honorable Court grant Respondents an extension of twenty (20) days from August 14, 2001 in order to adequately respond to Petitioner's request for relief.

Respectfully submitted,

Date: 8/14/01

A handwritten signature in dark ink, appearing to read "Edward A. Paskey", written over a horizontal line.

Edward A. Paskey, Esquire  
First Deputy District Attorney  
Office of the District Attorney  
York County Courthouse  
28 East Market Street  
York, PA 17401  
(717) 771-9600  
Pa. Supreme Court I.D. # 80304

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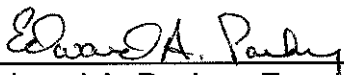
CERTIFICATE OF SERVICE

I, Edward A. Paskey, certify that I served a copy of the foregoing Petition on the following individual by U.S. Mail, First Class, postage prepaid and addressed to:

Michael A. Lehman  
Inmate No. BJ-1575  
S.C.I. Rockview  
Box A  
Bellefonte, PA 16823

Respectfully submitted,

Date: 8/14/01

  
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